

WA SOCIAL WORK NEWS

September 2003

PRESIDENT'S REPORT

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Thought for the Day

If geological time be taken as twenty-four hours, man's existence on earth so far equals just two seconds of it; after a few more seconds, when man has been frozen off the earth, geological time will stretch for as long again, before the earth bumps into something, and be comes nebula once more.

God's hands haven't been particularly full, sir, have they, two seconds out of twenty four hours, if man is His pet concern?

John Galsworthy, Saint's progress.

Online Version

An online version of this newsletter can be found at

<http://socsocwks.highway1.com.au>

Dear colleagues I am pleased to bring you the second issue of *WA Social Work News*, the newsletter of the Society of Professional Social Workers (Inc).

We have been asked by many social workers when the Society will start accepting applications for membership. The major reason for the delay has been the protracted nature of negotiations for obtaining a professional indemnity insurance policy.

This has become a fundamental issue these days. We now live in an increasingly litigious climate which impacts on all us whether we work full or part time, on contract, are on a work place agreement or are permanent employees. There is no distinction of the risk for professional liability, whether you work with either a government organisation, a non government employer or self employed.

I am pleased to inform you that we have now finalised negotiations through our insurance broker. This policy offers the same benefits as are available to AASW members:

- excess \$5,000 for members and the Society (the Society carries the excess for the member);
- maximum \$5 million for any one claim and \$10 million in aggregate;
- retroactive date unlimited;
- there is no pro rata arrangement of premiums and members will not receive any refunds if cancelling membership;
- continuous cover is given to members coming from AASW to the Society;
- molestation exclusion;
- no cover given for contractual liability; and
- cover is excluded for death and bodily injury.

Some other factors have also delayed our decision to start receiving applications. These include establishing a merchant banking facility with the Bendigo Bank and setting up an organisational structure which can support and promote the needs and aspirations of the profession.

The Society has been asked whether current members of the AASW whose dues have been paid for the full year can become involved in the Society's working groups or participate in any other activities. In the 2003/2004 financial year we will welcome the active involvement of current financial AASW members as non voting members

Another question I have been asked concerns the prerequisite of possessing an appropriate social work qualification. Eligibility for membership is available if a person has:

- successfully completed an educational program approved by the Board from time to time as meeting the requirements for achieving a qualification for the practice of social work; or
- satisfied the Board that, if holding an early social work qualification, that person has completed appropriate professional social work experience; or
- satisfied the Board that they are eligible for membership.

The Board has resolved that proof of current or recent membership of the AASW will be accepted as a prerequisite for applications made in the 2003/2004 financial year.

In conclusion, it is surprising that the AASW reacted the way it did to the formation of the Society of Professional Social Workers. Your attention is drawn to correspondence between myself, the AASW lawyers and the AASW's CEO. This correspondence is reproduced in this newsletter. You may draw your own conclusions about the underlying motives that have resulted in this confrontational situation.

We are fortunate to have the long standing editor of the former WA Branch newsletter as the editor of this publication. Greg Swensen brings with him not only years

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WA Social Work News

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LETTERS

**Mr B Wooller
 President**

Dear Mr Wooller

Breach of copyright

As you are aware, we act for the Australian Association of Social Workers (AASW).

It has been brought to our attention that you are a member of and hold a management role in the Society of Professional Social Workers (Inc) (the Society) and have been involved in the creation of a website and publishing a "Code of Ethics" for the Society.

In the process of creating the website and publishing a "Code of Ethics", the Society has infringed the copyright of the AASW.

We draw your attention in particular to the main page of the Society's website in which the Society sets out its "Objects" and also publishes a quote: "Every human being has a unique dignity".

These items are substantially identical to the AASW's own "Objects", as detailed in clause 2 of their Constitution, while the Society's "Code of Ethics" replicates the "Code of Ethics" of the AASW (1994) as reprinted in 1998.

The Copyright Act 1968 (Cth) provides that it is an infringement of a person's copyright to do any acts in relation to a literary work that that person, as author of the work, has an exclusive right to do, without first obtaining that person's permission (Sections 13 and 36).

In this case, the AASW asserts exclusive right to the reproduction of its "Objects" and "Code of Ethics". As a result, we regard the Society's use of these items as an infringement of the Copyright Act.

In the majority, members of the Society are former members of the AASW and were fully aware of the existence of the AASW's "Code of Ethics" and Constitution.

As a result, we believe that the Society deliberately sought to reproduce the AASW's

copyright protected material, without first seeking permission. Consequently, our client requires that you immediately:

- a) withdraw the Society's "Code of Ethics" from publication;
- b) withdraw the "Statement of Objects" from publication; and
- c) withdraw the abovementioned quote from the Society's website.

In the event that the Society fails to take the above action, we will apply for an injunction in the Federal Court of Australia as well as for exemplary damages.

Please advise of the action you take by 22 August 2003.

Sincerely

Gerald Santucci
 Snedden Hall & Gallop
 Lawyers
 4th Floor, Law Society Building
 PO Box 794
 Canberra ACT 2601
 13 August 2003

**Mr Gerald Santucci
 Snedden Hall and Gallop
 GPO Box 794
 Canberra ACT 2601**

Dear Mr Santucci

Without prejudice

In your letter of 13 August 2003 mailed to my home address, you outline a number of purported breaches of copyright published on the website of the Society of Professional Social Workers.

Before addressing the matters you raise in your letter I would like you to note my exception to the use of my home address. Quite clearly this was provided to you by the Australian Association of Social Workers and is not the official address of the Society of Professional Social Workers.

I am writing separately to the President of the AASW on this matter as it is quite clearly inappropriate and a misuse by the Association of my personal details.

Whilst the Society does not concede infringement on any of the matters you assert, the Code of Ethics and the quotation in the header of the website have been removed. The latter has been replaced with the text of Article 1 of the United Nations Declaration of Human Rights. This quotation is appropriately acknowledged.

To assert that the Objects of Association as published on the website are a breach of copyright is patently absurd. These objects are enshrined in the constitution of the Society of Professional Social Workers which is an incorporated body under the Western Australian Associations Act 1987.

You suggest in your letter that these objects are 'substantially identical' to those of the AASW.

The objects of the Society of Professional Social Workers are different from those of the Australian Association of Social Workers and to assert that they are 'substantially identical' demonstrates a fundamental failure to understand the core set of values and aspirations that distinguishes the social work profession from other professions and callings.

It is clear that the Society as a lawfully constituted body is at liberty to reproduce its objects on its website and to suggest otherwise is clearly an attempt to restrict its ability to operate as a representative body for social workers in Western Australia.

Yours sincerely

Brian Wooller
President Society of Professional Social Workers
20 August 2003

Mr Ian Rentsch
Chief Executive Officer
Australian Association of Social Workers
PO Box 4956
Kingston ACT 2604

Dear Mr Rentsch

Following receipt of your broadcast email of 5 September 2003, I on behalf of the Board of the Society of Professional Social Workers respectfully decline to meet with you to

discuss matters relating to the SPSW and the Australian Association of Social Workers.

The reasons for declining this request are:

1. The lack of clarity about the purpose of the meeting.
2. Your status as an employee of the AASW meeting with the directors of the SPSW without any prior notice from the President or the Directors of the AASW regarding this matter.
3. The unresolved issues raised by your lawyer regarding matters of copyright: the SPSW has not as yet received a response from its reply to these matters of copyright.
4. The fact that the 'WA Working Group' has already approached the Society of Professional Social Workers to meet regarding matters pertinent to both it and the new organization.
5. The lack of clarity regarding the status and authority of the AASW players. There appears to be confusion about who is doing what to whom. The AASW is a company of limited liability, the Directors of which are vested with authority under the Act.

That contact has been with Maria Harries only, and we are awaiting a follow up. The dates and times of this meeting have not been determined.

There is no WA Branch Committee of Management nor state based employee and it is uncertain from our point of view what authority you or the 'WA Working Group' have from the Board.

The SPSW is constituted under Western Australian law and needs to be quite clear about matters of authority and the purpose of any meeting.

Yours sincerely

Brian Wooller
President
6 September 2003

cc Maria Harries, Jo Gaha

NETWATCH

<http://www.monbiot.com>

George Monbiot is the author of the best selling books *The age of consent: A manifesto for a new world order* and *Captive state: The corporate takeover of Britain*; as well as the investigative travel books *Poisoned arrows*, *Amazon watershed* and *No man's land*. He writes a weekly column for the Guardian newspaper.

During seven years of investigative journeys in Indonesia, Brazil and East Africa, he was shot at, beaten up by military police, shipwrecked and stung into a poisoned coma by hornets. He came back to work in Britain after being pronounced clinically dead in Lodwar General Hospital in north-western Kenya, having contracted cerebral malaria.

In Britain, he joined the roads protest movement. He was hospitalised by security guards, who drove a metal spike through his foot, smashing the middle bone.

He helped to found The Land is Ours, which has occupied land all over the UK, including 13 acres of prime real estate in Wandsworth belonging to the Guinness corporation and destined for a giant superstore. The protesters beat Guinness in court, built an eco-village and held onto the land for six months.

[Continued from page 1](#)

of experience in producing a high quality publication that is contemporary, readable and professional in its presentation, but also a commitment and energy second to none. Greg is also the 'webmaster' for our website which I hope you will all visit.

I am looking forward to the day when we can produce a hard copy for circulation to members and institutions. Some social workers will not be able to easily access electronic copy. This is something we are well aware of and as soon as our membership grows we will have it as a number one priority.

Brian Wooller
President

Parted Friends

by John Montgomery

Friend after friend departs:
Who hath not lost a friend?
There is no union here of hearts
That finds not here an end;
Were this frail world our only rest,
Living or dying, none were blest.

Beyond the flight of time,
Beyond this vale of death,
There surely is some blessed clime
Where life is not a breath,
Nor life's affections transient fire,
Whose sparks fly upward to expire.

There is a world above,
Where parting is unknown;
A whole eternity of love,
Formed for the good alone;
And faith beholds the dying here
Translated to that happier sphere.

Thus star by star declines,
Till all are passed away,
As morning high and higher shines,
To pure and perfect day;
Nor sink those stars in empty night;
They hide themselves
In heaven's own light.

A Trilogy of Conversations on Social Justice

Conversation One
Carmen Lawrence MP
Is the concept of
social justice relevant in
21st century politics?

5.45 pm - 7.30 pm
Tuesday 23 September
Hollis Lecture Theatre 1
Building 401, Curtin University

Gavin Mooney from the Social & Public Health Economic Research Group at Curtin and Colin Penter, from the Matrix Consulting Group, are organising a series of 'conversations' on social justice to build momentum for some structure or group to work for social justice.

If interested in the formation of a *Social Justice Group* or to express interest in the other meetings, contact either Colin Penter cpmatrix@eon.net.au or Gavin Mooney g.mooney@curtin.edu.au.

I Was Wrong About Trade. Localisation is Both Destructive & Unjust

by George Monbiot

A few years ago I would have raised at least two cheers. The US government, to judge by the aggressive noises now being made by its trade negotiators, seems determined to wreck one of the most intrusive and destructive of the instruments of global governance: the World Trade Organisation.¹ A few years ago, I would have been wrong.

The only thing worse than a world with the wrong international trade rules is a world with no trade rules at all. George Bush seems to be preparing to destroy the WTO at the next world trade talks in September not because its rules are unjust, but because they are not unjust enough. He is seeking to negotiate individually with weaker countries, so that he can force even harsher terms of trade upon them. He wants to replace a multilateral trading system with an imperial one. And this puts the global justice movement in a difficult position.

Our problem arises from the fact that, being a diverse movement, we have hesitated to describe precisely what we want. We have called for fair trade, but have failed, as a body, to specify how free that trade should be, and how it should be regulated. As a result, in the rich world at least, we have permitted the few who do possess a clearly formulated policy to speak on our behalf. Those people are the adherents of a doctrine called "localisation". I once supported it myself. I now accept that I was wrong.

Localisation insists that everything which can be produced locally should be produced locally. All nations should protect their economies by means of trade taxes and legal barriers. The purpose of the policy is to grant nations both economic and political autonomy, to protect cultural distinctiveness and to prevent the damage done to the environment by long-distance transport. Yet, when you examine the implications, you soon discover that it is as coercive, destructive and unjust as any of the schemes George Bush is cooking up.

My conversion came on the day I heard a speaker demand a cessation of most forms

of international trade and then, in answering a question from the audience, condemn the economic sanctions on Iraq. If we can accept that preventing trade with Iraq, or, for that matter, imposing a trade embargo on Cuba, impoverishes and in many cases threatens the lives of the people of those nations, we must also accept that a global cessation of most kinds of trade would have the same effect, but on a greater scale.

Trade, at present, is an improbable means of distributing wealth between nations. It is characterised by coercive relationships between corporations and workers, rich nations and poor. But it is the only possible means. The money the poor world needs has to come from somewhere, and if our movement rejects trade as the answer, it is surely duty bound to find another.

The localisers don't rule out all international transactions. As Colin Hines, who wrote their manifesto and helped to draft the Green Party's policy, accepts, "*Some long-distance trade will still occur for those sectors providing goods and services to other regions of the world that can't provide such items from within their own borders, eg certain minerals or cash crops.*"² To earn foreign exchange from the rich world, in other words, the poor world must export raw materials. This, of course, is precisely the position from which the poor nations are seeking to escape.

Raw materials will always be worth less than manufactured products. Their production also tends to reward only those who own the primary resource. As the workers are unskilled, wages remain low. Every worker is replaceable by any other, so they have no power in the marketplace. The poor world, under this system, remains trapped in both the extractive economy and - as a result - in its subordinate relationship to the rich world.

Interestingly, Hines's prescription also damages precisely those interests he seeks to protect. To earn sufficient foreign exchange to import the goods they cannot produce themselves, the poor nations would need to export more, not less, of their natural wealth, thus increasing their contribution to climate change, soil erosion and the loss of biodiversity. His policy also wipes out small farmers, who would be displaced from their land by mechanised cash cropping.

A still greater contradiction is this: that economic localisation relies entirely upon enhanced political globalisation. Colin Hines's model invents a whole new series of global bodies to impose localisation on nation states, whether they like it or not. States would be forbidden, for example, to "pass laws ... that diminish local control of industry and services". Hines, in other words, prohibits precisely the kind of political autonomy he claims to promote.

But above all, this doctrine is entirely unnecessary. There is a far better means of protecting the environment while permitting the poor nations to develop, and this is to demand global trade rules which introduce two kinds of fairness.

The first is to permit poor nations, if they so wish, to follow the routes to development taken by the rich. The founding myth of the dominant nations is that they built their wealth through free trade. In truth, almost every nation which acquired its wealth independently did so (apart from plunder and piracy) either by protecting its new industries from competition until they were big enough to fend for themselves or by stealing other countries' intellectual property.³

They discovered the virtues of free trade and global patents regimes only once they had acquired their economic dominance. Having done so, they now insist on world trade rules which explicitly forbid other nations from following their own route to development. Fair trade rules would force the rich nations to open their borders, but not, until they had achieved a certain level of economic development, the poor.

The second kind of fairness would involve extending the rules currently applied by the voluntary fair trade movement to all the companies trading between nations. To acquire a licence to trade internationally, a corporation would have to demonstrate that its contractors were not employing slaves, using banned pesticides or exposing their workers to asbestos.

It would also have to pay the full environmental cost of the fossil fuel it used. This would ensure that low-value, high-volume goods, like fruit and vegetables, would no longer be flown around the world. But it would also ensure that the poor nations which currently export raw materials would instantly become the most favoured locations

for manufacturing: it takes a lot less fuel to ship a consignment of aluminium saucepans around the world than it does to transport the bauxite from which they were made.

So let us campaign not to scrap the World Trade Organisation, but to transform it into a Fair Trade Organisation, whose purpose is to restrain the rich while emancipating the poor. And let us ensure that when George Bush tries to sabotage the multilateral system in September, we know precisely which side we are on.

George Monbiot's book *The Age of Consent: a Manifesto for a New World Order*, is published by Flamingo. www.monbiot.com.

References

1. Eg Luke Peterson, 23rd June 2003. Bush Will Trade Only with Friends. *New Statesman*.
2. Colin Hines, 2000. *Localization: A Global Manifesto*. Earthscan, London.
3. Ha-Joon Chang, 2002. *Kicking Away the Ladder: Development Strategy in Historical Perspective*. Anthem Press, London.

Originally published in the Guardian 24th June 2003

MEMBER UPDATE

The Board resolved at its last meeting that a series of planning meetings should be conducted to provide a forum to canvass views from active and potential members on issues of concern.

The first such meeting was held at 5.30 on Monday 15 September and was devoted to the themes of setting goals, organisation structures and opportunities and mechanisms for enhanced dialogue and communication with members.

The meeting resolved that the Society would support the development of a number of working groups to focus on the following priority areas:

- ethics;
- professional development and training;
- information and communication;
- conference;

- membership;
- academic and action research;
- fields of practice;
- discussion groups;
- social policy; and
- registration.

Each working group would have a broad mandate to achieve the aspirations of the social work profession as articulated by the Society. As it is important to have an inclusive approach, working groups would engage both members and the broader community of social workers in this State in their activities.

One innovation would be to hold quarterly meetings to be run in an informal manner, focussing on an issue of current interest. Meetings would be to develop dialogue and sharing of views, offer networking opportunities and foster fellowship and social contact between social workers.

The meetings would be held in a 'user friendly' setting, which was readily accessible on an after hours basis in a central location. A related idea was to hold forums, modelled on the 'politics in a pub' format that has been used in some other States, as a way to debate and promote a spectrum of views and opinions.

How To Join

Applications for membership of the Society are now invited. Go to the website, click on the membership page and download an **application form**. If you are a current or recent member of the AASW, enclose a copy of your membership. Otherwise you will need to enclose a copy of your qualifications as outlined in the form.

Payment of fees is by two methods: annual fee (\$297) or by monthly direct debit (\$29.75).

If you want to pay by direct debit, download a **direct debit form**. The website has other information, including the code of ethics, the constitution and questions and answers.

Frequently Asked Questions

Answers are provided to some of the questions asked by social workers about the Society of Professional Social Workers (SPSW).

Q: Will the membership of the new SPSW include professional indemnity insurance?

A: This will be provided by ACE Insurance Ltd. Cover and will be the same as available from the AASW.

Q: Will the SPSW be political in supporting social justice issues?

A: A qualified 'yes'. In a group representing a whole profession it is often difficult to take a representative stand on complex issues. An example was not being able to give input to debate on abortion law reform in WA, because of divergent views of members. Contact with ministers and alliances with other like minded agencies will be made and maintained.

Q: Social workers in some organisations have felt that their work was of little interest to the AASW. Will the new body be inclusive?

A: Yes. Inclusivity is a major focus. Contributions of ideas are welcomed and needed.

Q: How will CPE be managed?

A: In the past we had a good working model which we will further develop and regularly review.

Q: What about a Code of Ethics?

A: This is available on SPSW's web site and is easy to read, comprehensive, clear, workable and effective.

Q: How can the fees be so low?

A: All income made in Western Australia will be kept here and spent on providing services to members. There will be no capitation fees for items which are not relevant to professional workers in WA. Fees will remain lower as the Society will not have the overheads of a corporate central office.

Q: Who may apply to be a member?

A: Any person who has graduated with a social work qualification from an approved Australian social work education program. Assessment will be made of the qualifications of social workers holding an overseas qualification to determine their eligibility. Students from accredited schools will be warmly welcome and respected for the significant and unique input they can have.

Q: What are the types of membership?

A: There are four types of membership - life members, fellows, members and student members, who unlike the other types of members cannot vote at meetings or hold office.

Q: What is a 'Fellow'?

A: This term has a similar meaning to being accredited. The term 'fellow' has strong connections with scholarly bodies, which similarly refer to members as 'fellows'.

Q: Where can I find the Constitution of the Society?

A: This is available from the Society's website.

Q: What structure will the SPSW have?

A: Initially similar to the Committee of Management of the former WA Branch ie a Board, consisting of an executive (being the President, Vice President, Treasurer and Secretary) and Directors. Directors will be appointed with primary concern for a specific area which will be managed through the establishment of thematic Working Groups.

Q: What are the fees for the 2003/2004 financial year?

A: The full annual membership fee for both members and fellows is \$297 (GST inclusive) per annum, payable 1 July. Membership fees can also be paid monthly by direct debit, at a monthly cost of \$29.75.

If you wish to pay your fees by monthly direct debit you need to go to the Society's website to download and then complete a **direct debit application form**.

Q: How do I join?

A: Applications for membership are made by filling out a **membership application form**. This is available from the SPSW's website (go to the Membership section).

When you complete this application you have three avenues to follow if you are applying for full membership on the basis of either:

1. prior membership of the AASW - for this you need to enclose a copy of your most recent membership registration; or
2. as a graduate with a recognised Australian social work qualification; or
3. as a person holding an approved overseas social work qualification.

Your application includes a signed attestation that you will abide by the Society's Code of Ethics and that you support the objects of the Society as stated in its Constitution. You can view and/or download copies of both of these from the website.

You should then post to the Society a completed membership form, including payment or instructions as to the method of payment.

Online version of this form at

<http://socprofsocwkr.highway1.com.au>